

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**KEITH R. GORDON,**

**Plaintiff,**

**V.**

**U.S. BANK TRUST NATIONAL  
ASSOCIATION AS TRUSTEE OF CMSI  
REMIC 2007-09-REMIC PASS-THROUGH  
CERTIFICATES SERIES 2007-09; and  
CENLAR FSB,**

**Defendants.**

**CIVIL ACTION NO. SA-22-CA-0044-FB**

**AGREED JUDGMENT**

Defendants U.S. Bank Trust National Association as Trustee of CMSI Remic 2007-09 Remic Pass-Through Certificates Series 2007-09 (“U.S. Bank”) and Cenlar, FSB (“Cenlar”) (collectively “Defendants”), their successors or assigns, and Plaintiff Keith R. Gordon (“Gordon”) (collectively the “Parties”) have filed a Motion to Enter Agreed Judgment (“Motion”). The Parties inform the Court they have come to an agreement to resolve all outstanding issues in this case between Keith R. Gordon and Defendants U.S. Bank and Cenlar. After careful consideration of the motion, the pleadings on file and the entire record in this case, the Motion (docket no. 22) is GRANTED as set forth below:

IT IS ORDERED, ADJUDGED and DECREED that Plaintiff’s claims asserted herein against all Defendants are DISMISSED WITH PREJUDICE to refiling.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that U.S. Bank Trust National Association as Trustee of CMSI Remic 2007-09 Remic Pass-Through Certificates Series 2007-09, its successors and assigns (“U.S. Bank”) is entitled to proceed with the foreclosure of the property 624 Sunshine Meadow, Adkins, Texas 78101 (the “Property”) and is more particularly described as:

LOT 144, WHISPERING OAKS SUBDIVISION, SECTION TWO, AS SHOWN ON PLAT RECORDED AT VOLUME 6, PAGES 64-66 OF THE PLAT RECORDS OF WILSON COUNTY, TEXAS.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that U.S. Bank is entitled to proceed with a non-judicial foreclosure sale under the terms of the Security Instrument, TEX. PROP. CODE § 51.002, TEX. CONST. ART. XVI, SEC. 50(a)(6)(D) and applicable law with respect to the secured Property made the subject of this proceeding, and this Judgment serves as an Order of Foreclosure of a Home Equity Loan in accordance with TEX. CONST. ART. XVI §50(a)(6);

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff is obligated for the Loan Agreement, have defaulted on the Loan Agreement, and the default has not been cured. The amount owed by Plaintiff under the Loan Agreement at issue is at least \$246,802.22 as of February 24, 2022 with interest accruing at a per diem rate of \$49.75 pursuant to the Home Equity Note. This is a non-recourse debt and no personal liability or judgment is entered against Plaintiff. All conditions precedent necessary have been accomplished.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the mailing address of the property sought to be foreclosed is 624 Sunshine Meadow, Adkins, Texas 78101 and the correct legal description is set forth above.


IT IS FURTHER ORDERED, ADJUDGED and DECREED that U.S. Bank recover the amount owed under the Loan Agreement with a foreclosure of the Loan Agreement against the Property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff shall bear the Defendant's costs, expenses, and attorney's fees as a charge to the loan agreement and added to the total payoff of the loan. Plaintiff shall bear his own costs, expenses, and attorney's fees.

IT IS FINALLY ORDERED, ADJUDGED and DECREED that remaining motions pending with the Court, if any, are Dismissed as Moot and this case is CLOSED.

It is so ORDERED.

SIGNED this 29th day of April, 2022.



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FRED BIERY  
UNITED STATES DISTRICT JUDGE